

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.)

**MOTION FOR EXTENSION OF TIME TO
FILE ELECTION NOTICES**

Comes now Plaintiff, James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC (the "Trustee"), by counsel, and moves the Court for an extension of time to file Election Notices¹ for mandatory mediation, as directed in the Court's Order Establishing Procedures for Certain Adversary Proceedings entered on April 3, 2013 (ECF No. 1920) ("Procedures Order"). In support of his Motion, the Trustee shows the Court as follows:

1. The Procedures Order provides that, for any Preference Action which the Trustee is unable to settle, the Trustee or Defendant may elect mandatory mediation. (Procedures Order ¶ 6.)

2. To elect mandatory mediation, the Trustee or Defendant is required to file an Election Notice, as defined in the Procedures Order, and serve it on the opposing party or its counsel within twenty-eight (28) days after the Pretrial Conference. (Procedures Order ¶ 6(A)(i).)

3. The Election Notices are currently due June 6, 2013, which time has not

¹ All capitalized terms used herein not otherwise defined shall have the meanings set forth in the Procedures Order or the Motion for Order Establishing Procedures for Certain Adversary Proceedings (ECF No. 1741) ("Motion"). If the meanings in the Procedures Order or Motion conflict, the meaning set forth in the Procedures Order shall control.

yet passed.

4. Counsel for the Trustee respectfully requests that this Court enter an order providing the parties an extension of time to file the Election Notices for a period of fourteen (14) days, to and including June 20, 2013, for the reason that the Trustee needs additional time to identify the Preference Actions for mediation

5. Counsel for the Trustee requests that this extension of time apply to each Preference Action, as identified in Exhibit "A" to the Motion for Order Establishing Procedures for Certain Adversary Proceedings (ECF No. 1741), as amended by the Procedures Order, and subject to any specific orders entered in any Preference Action that modify or affect application of the Procedures Order

6. A copy of this Motion will be served on all counsel of record in the above captioned Chapter 11 case, all defendants in the Preference Actions, and all counsel who have filed appearances in the Preference Actions as of the date of this Motion, except for any counsel or defendants in Preference Actions that have been dismissed since the entry of the Procedures Order.

WHEREFORE, Plaintiff, James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC, prays that the Court extend the deadline to file the Election Notices up to and including June 20, 2013 and for all other relief proper in the premises.

Respectfully submitted,

KROGER, GARDIS & REGAS, LLP

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CERTIFICATE OF SERVICE

I hereby certify that on June 5, 2013, the foregoing was electronically sent to the following parties. Parties may access this filing through the Court's system.

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